

REMARKS

Claims 197, 199, 200, and 202 to 214 are pending in this application. Claims 197, 204, 205, and 207 have been amended. No new matter has been added by these claim amendments.

Rejections under 35 U.S.C. § 112, first paragraph – written description

Claims 197, 199, 200, and 202-214 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse the rejections. However, to advance prosecution, Applicants have amended the claims as follows:

Claim 197 has been amended to recite "...wherein said magnetic area is situated on the surface of the substrate in a predetermined location discrete from other magnetic areas **to provide a plurality of discrete magnetic areas, ...**," as suggested by the Examiner, thereby providing antecedent basis for "said plurality of magnetic areas." Support for the amendment may be found, for example, at page 15, lines 19 – 20; page 24, lines 14 – 22; page 5, lines 11 – 15, and Figures 1 and 2.

Claim 204 has been amended to recite "... the wells of the cell isolation device **are** micro through-holes, **wherein the micro through-holes are defined by inner walls of the membrane,**" thereby providing antecedent basis for "the walls of the micro through-holes" in claim 206. Support for the amendment may be found, for example, at page 32, line 20 – page 21, line 3 and Figure 5.

Claim 205 has been amended to recite "... wherein the **device further** comprises a semi-permeable membrane opposite the substrate ...," thereby further clarifying the structure of the device. Support for the amendment may be found, for example, at page 33, lines 8 – 14 and Figure 5a). Applicants submit that, as illustrated in Figure 5a), the semi-permeable membrane 553 does not comprise the through-holes. It is membrane 550 that contains the through-holes and define the walls of the through-holes.

Claim 207 has been amended to recite "... wherein said plurality of magnetic areas further comprises immobilized cells ~~associated with said magnetic material...~~," as suggested by the Examiner.

As such, Applicants respectfully request the withdrawal of the rejections.

CONCLUSION

Applicants submit that the foregoing amendments respond to the final Office Action of February 8, 2007 and that the claims are in condition for allowance. Applicants authorize the Commissioner to charge any fee due or credit any overpayment arising from this communication to Kenyon & Kenyon LLP **Deposit Account No. 11-0600**.

The Examiner is invited to contact Applicants' representative to discuss any issue that would expedite allowance of the subject application.

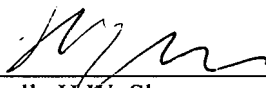
An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON LLP

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